

NEBRASKA ADMINISTRATIVE CODE

TITLE 272-NEBRASKA STATE PATROL

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Chapter 7 HANDLING OF EXPLOSIVES

001 Observance of Rules. Every employee and every person having supervision over employees where explosives are handled or used shall observe all rules which immediately concern or affect his or her conduct.

001.01 Locking Explosive Magazines. All magazines and all enclosures used for storage of explosives shall be kept locked by the owner or user thereof at all times except when opened by an authorized person while placing explosives therein or removing explosives therefrom, or for the inspection thereof.

001.02 Access to Explosives. No person unless duly authorized by the owner of the explosives shall have access to or enter magazines or explosives storage enclosures. Detonators or other explosives when removed from magazines shall not be left unguarded where children or other unauthorized persons may have access to them.

001.03 Smoking and Open Lights. No person shall smoke or carry open lights or other flame or spark-producing devices in or around any explosive magazine, or around any explosives. Exception: Suitable devices for lighting safety fuse are exempt from this requirement.

001.04 Marking Explosives. No person shall own, possess, store, sell or use, or authorize or permit the use of explosives, unless the original package or container is clearly marked so as to designate the class and type, the name and address of the manufacturer and the date of manufacture of said explosive. This requirement shall not apply to a purchaser of a broken lot on whose bill of sale such information shall appear. Every seller shall provide such bill of sale to every said purchaser. The date of manufacture may be in code, provided that the key to such code shall be furnished to the Nebraska State Patrol on request. All cases containing explosives for underground use shall be clearly marked with the fume classification of its contents. No explosives, other than those in fume classes 1, 2, or 3, shall be used in confined spaces.

001.05 Return of Explosives to Magazine. Every person using explosives and every employer

whose employees are required to use explosives in the performance of their duties shall be responsible for the return of all unused explosives or ingredients thereof to the magazine, and shall prevent any explosives or ingredients thereof from being taken to any place not necessary to their use.

001.06 Opening Packages or Containers of Explosives. No person shall open nailed or sealed wooden or metal packages or containers of explosives within 50 feet (15.2 m) of any magazine. In opening wooden containers of explosives only non-sparking wedges and either wooden, fiber or rubber mallets shall be used. Only approved tools shall be used for opening metal containers.

001.07 Blasting Operations. Blasting operations can be carried on only under the direct supervision of a person or persons in possession of valid user's permits issued by the Nebraska State Patrol.

001.08 Charging. Tamping shall be done with wooden or approved plastic poles. Approved metal connectors shall be used for jointed poles. Violent tamping shall be avoided. The primer shall never be tamped.

001.09 Fuse Requirements. Any fuse which varies more than 10 percent from an average speed, when burned unconfined in the open at sea level in three foot lengths, shall not be used. Any fuse that burns faster than 90 seconds per three foot length with more than an allowable variation of 10 percent, when burned unconfined in the open at sea level shall not be used. Any fuse length less than 36 inches shall not be used.

001.10 Notice of Blast. The blaster shall give timely notice of every blast to every person in danger thereof, and shall not explode any blast until all persons have been removed to a safe location.

001.11 The electric current used to fire a blast shall not exceed the current recommended by the manufacturer of the electric detonators being used and shall be made by a manufacturer approved blasting/initiating machine.

001.12 Blasting Operations During Electrical Storms. All blasting operations and any handling of explosives shall be stopped immediately upon the approach of an electrical storm, and all persons shall immediately retire to a place of safety.

001.13 Destruction of Explosives.

001.13A Any unserviceable or hazardous explosives or blasting agents which cannot be salvaged, or are unfit for their intended purpose, shall be destroyed by a qualified person in accordance with the manufacturer's instructions.

001.13B Explosives Explosives which are deviated from normal color or condition (texture, size, etc.) shall be considered deteriorated until their exact condition is determined by expert opinion. A complete report of the destruction of explosives shall be made listing the date of destruction, reason, amount and type of explosives destroyed, manner of destruction, and name of person destroying the explosives. This report shall be kept with the required explosive inventory records. (Chapter 8, para 001.02)

001.13C Explosives shall never be buried or covered by any materials as a means of disposal.

001.13D Frozen explosives shall not be placed or used in drill holes. No attempt shall be made to thaw frozen explosives, but rather the manufacturer shall be consulted.

001.13E No explosive shall be abandoned.

001.13F Destroying Explosives. Explosives which have deteriorated or have been damaged so as to be unfit for use shall be destroyed by a qualified person experienced in this work and designated by the owner of the explosives or by the Nebraska State Patrol. This provision shall not prohibit reprocessing of explosives by the manufacturer thereof. Additionally, the Nebraska Department of Environmental Quality (DEQ), Title 128, Rules and Regulations Governing Hazardous Waste Management in Nebraska, must be followed. For clarification on Title 128, contact the Lincoln, Nebraska office of the DEQ.

001.14 Detonators and other explosive materials shall be transported from storage magazines to the blasting site in containers and in a manner approved by the US DOT in 49 CFR

001.15 No person shall possess, keep, store, sell, or offer for sale, give away, use, transport, or dispose of in any manner any explosive or blasting agent except upon the holding of a valid permit or the approval of the Nebraska State Patrol.

001.16 No person shall sell, display, or expose for sale any explosive or blasting agent on any highway, street, sidewalk, public way or public place.

001.17 Any theft or loss of explosives or blasting agents, whether from a storage magazine or area, a vehicle in which they are being transported, or from a site where they are being used or from any other location, shall immediately be reported by the person having control of such explosives or blasting agents to the Nebraska State Patrol, the Bureau of Alcohol, Tobacco, & Firearms (ATF) of the U.S. Treasury, the local Sheriff and local police immediately after examination or inventory reveals a loss or theft of material.

001.18 Any person in possession or control of explosives or blasting agents required in the performance of his or her work or duties shall, when the need for such explosives or blasting agents no longer exists, either return the explosives or blasting agents to a magazine or shall destroy such explosives or blasting agents in a safe manner in accordance with manufacturer recommendations.

Statutory Authority: Neb. Rev. Stat. §§28-1213 to 28-1239.

Legal Citation: Title 272, Ch. 7, Nebraska State Patrol.